

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

:

CRIMINAL NO.

v.

:

15-119-02

:

TAJELDIN CUNNINGHAM

ORDER

This 22nd day of March, 2017, in light of the Third Circuit's decision in *United States v. Robinson*, 844 F.3d 137 (3d Cir. 2016), as well as its recent denial of rehearing in *Robinson*, it is hereby **ORDERED** that Defendant Tajeldin Cunningham's Motion to Dismiss Count Two (Dkt. 99) is **DENIED**.

/s/ Gerald Austin McHugh
Gerald Austin McHugh
United States District Judge